



DRAFT MINUTES

SUNNYVALE PLANNING COMMISSION

The Planning Commission met in regular session in the Council Chambers, City of Sunnyvale, 456 W. Olive Avenue, Sunnyvale, CA on **April 10, 2006** at 8:00 p.m. with Chair Hungerford presiding over the meeting.

ROLL CALL

Members Present: Chair Charles Hungerford; Vice Chair James Fussell; Commissioner Laura Babcock; Commissioner Larry Klein; and Commissioner Brandon Sulser

Members Absent: Commissioner David Simons, excused absence

Staff Present: Trudi Ryan, Planning Officer; Rebecca Moon, Assistant City Attorney; Gerri Caruso, Principal Planner; Jamie McLeod, Associate Planner; and Debbie Gorman, Recording Secretary

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS

CITIZENS TO BE HEARD

Harriet Rowe, resident of Sunnyvale, commented that the San Jose Mercury News (SJMN) has a Government Watch column that appears in the Monday paper that highlights upcoming items from the current week's meetings of local and regional governing boards. She said that she would like Sunnyvale Planning Commission items listed in the column. **Trudi Ryan**, Planning Officer, said that staff recently began providing Planning Commission agenda information to the SJMN and that it is at the discretion of the SJMN what items are listed in the column.

APPROVAL OF MINUTES of March 27, 2006.

ACTION: Comm. Klein made a motion to approve the minutes of the Planning Commission meeting of March 27, 2006. Comm. Sulser seconded. Motion carried, 4-0-1, Comm. Babcock abstaining and Comm. Simons absent.

PUBLIC HEARINGS/GENERAL BUSINESS

1. **2006-0153 – Classic Communities** [Applicant] **Batton Associates, LLC** [Owner]: Application for related proposals on a 1.3-acre site located at **1049 Kiel Court** (near Weddell Dr) in an M-S/ITR/R-3/PD (Industrial & Service/Industrial to Residential/ Medium-Density Residential/ Planned Development) Zoning District. (APN: 110-14-144) KD; **(Applicant requests continuance to April 24, 2006.)**

- Special Development Permit to allow 30 stacked flats and 4 townhouse units totaling 34 units on a 1.3 acre site,
- Parcel Map to subdivide one lot for condominium units and one common area.

ACTION: Vice Chair Fussell made a motion on 2006-0153 to continue this item to April 24, 2006. Comm. Sulser seconded. Motion carried unanimously, 5-0, Comm. Simons absent.

APPEAL OPTIONS: This item is continued to April 24, 2006.

2. **2006-0276** – Application for a Special Development Permit on a 3,384 square foot site to allow a 176 square foot one story addition to a 1,881 square foot home resulting in 60.7% Floor Area Ratio where 45% may be allowed without Planning Commission review. The property is located at **533 Anacapa Terrace** (near Morse Ave) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District. (APN: 204-16-088) KD **(Staff requests continuance to April 24, 2006)**

ACTION: Comm. Sulser made a motion on 2006-0276 to continue this item to April 24, 2006. Vice Chair Fussell seconded. Motion carried unanimously, 5-0, Comm. Simons absent.

APPEAL OPTIONS: This item is continued to April 24, 2006.

3. **2006-0087** – Appeal of a decision of the Administrative Hearing Officer for an application for a Variance on a 6,211 square-foot site from Sunnyvale Municipal Code section 19.34.040 to allow a six-foot setback where nine feet is required. The property is located at **734 Ashbourne Dr** (near E Fremont Ave) in an R-0 (Low-Density Residential) Zoning District. (APN: 309-06-016) SL

ACTION: Comm. Babcock made a motion on 2006-0087 to continue this item to April 24, 2006 to allow staff time to assess the sewer situation related to this property. Comm. Klein seconded. Motion carried, 5-0, Comm. Simons absent.

APPEAL OPTIONS: This item is continued to April 24, 2006.

4. **2006-0078 – Sunnyvale Ford** [Applicant] **Ken Imus** [Owner]: Appeal of a decision of the Administrative Hearing Officer for an application for a Special Development Permit on a 4.5-acre site to allow an outdoor auto repair facility. The property is located at **650 East El Camino Real** (near E Remington Dr) in a C-2/PD (Highway Business/Planned Development) (APN: 211-24-029) GC

ACTION: Comm. Klein made a motion on 2006-0078 to grant the appeal and approve the Special Development Permit with modified conditions requiring the applicant provide a screening wall or to work with staff to plant trees or landscaping on City or private property, to appropriately screen the proposed facility from the areas that view this site, including the Community Center, Michelangelo Drive and the neighboring duplex as needed. Comm. Babcock seconded. Motion carried unanimously, 5-0, Comm. Simons absent.

APPEAL OPTIONS: This item is appealable to City Council no later that April 25, 2006.

5. **2005-1048 – Jeffery Morris** [Applicant] **Morris Associates IX** [Owner]: Application on a 2.1-acre site for related proposals located at **595 Lawrence Expressway** (at Duane Ave) in an M-S (Industrial & Service) Zoning District. (Negative Declaration) (APN: 205-23-017) JM; **(Continued from March 27, 2006.)**

- **Special Development Permit** to construct a new 22,590 square-foot shopping center,
- **Rezone** from M-S (Industrial & Service) to M-S/PD (Industrial & Service/Planned Development) Zoning District

ACTION: Comm. Babcock made a motion on 2005-1048 to adopt the Negative Declaration, introduce an Ordinance, and approve the Special Development Permit with the conditions in Attachment B of the March 27, 2006 staff report with modifications to Conditions of Approval (COA) 9.A, 9.H, and new COA 9.N as reflected in the addendum staff report of April 10, 2006. Vice Chair Fussell seconded. Motion carried unanimously, 5-0, Comm. Simons absent.

APPEAL OPTIONS: This item is to be heard by City Council on April 25, 2006.

6. Planning Commission Attendance at City Council Meetings

ACTION: Comm. Babcock made a motion not to appoint a Planning Commission representative to attend the April 11 or April 25, 2006 meetings. Comm. Klein seconded. Motion carried unanimously, 5-0, with Comm. Simons absent.

APPEAL OPTIONS: None.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Ms. Ryan reported that on March 28, 2006 the City Council extended the moratorium on Places of Assembly (POA) in Industrial Zoning Districts to April 27, 2006 and lifted the moratorium in Commercial Zoning Districts. The modifications to the Zoning Code for the Industrial Districts will come into place after the moratorium is lifted and will prohibit Use Permit applications for POAs and recreational uses in Industrial Zones until POA Combining Districts come into effect. The Council also considered the Zoning Land for Services Uses Study Issue and adopted the recommendation of Planning Commission and staff.

Ms. Ryan said that the Council met on April 4, 2006 and considered changes to Tree Preservation Ordinance and, after much discussion, adopted the recommendations of Planning Commission and staff.

Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 10.05 p.m.

Respectfully submitted,

Trudi Ryan
Planning Officer